

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUNICE L. VARNER,

Plaintiff,

Case No. 07-14461

v.

Honorable John Corbett O'Meara

R. JAMES NICHOLSON, Secretary of
Department of Veterans Affairs Agency,

Defendant.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

Plaintiff Eunice L. Varner filed this complaint October 19, 2007. The court dismissed the complaint July 29, 2008, finding that the parties to the case and the issues presented were identical to a previously filed companion case, Case No. 07-10211. On August 4, 2008, plaintiff Varner filed this motion for reconsideration of the order of dismissal. Pursuant to Local Rule 7.1(g)(2), no response was filed and no oral argument was heard.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

Local Rule 7.1(g)(3).

In this case Plaintiff's' motion for reconsideration merely presents the same issues ruled upon by the court and fails to demonstrate a palpable defect by which the court and the parties have been misled.

ORDER

It is hereby **ORDERED** that Plaintiff's' August 4, 2008 Motion for Reconsideration is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: January 22, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 22, 2009, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager